

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

In re

BED BATH & BEYOND INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No.: 23-13359 VFP

(Jointly Administered)

**NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PAPERS**

**PLEASE TAKE NOTICE** that, pursuant to Section 1109(b) of Title 11 of the United States Code, 11 U.S.C. §§ 101, et seq. (the “Bankruptcy Code”) and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), K&L Gates LLP hereby enters its appearance on behalf of Cartus Corporation and requests that all notices given or required to be given and all papers served in this case be delivered to and served upon the party identified below at the following address:

David S. Catuogno, Esq.  
K&L GATES LLP  
One Newark Center, Tenth Floor  
1085 Raymond Boulevard  
Newark, New Jersey 07102  
Telephone: (973) 848-4000  
Facsimile: (973) 848-4001  
Email: David.Catuogno@klgates.com

**PLEASE TAKE FURTHER NOTICE** that pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing demand not only includes notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all notices, orders, pleadings, motions, applications, complaints, demands, hearings, request, answers, replies,

---

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

memoranda and briefs in support of any of the above, whether formal or informal, transmitted or conveyed by electronic delivery, mail delivery, telephone, facsimile or otherwise, in this case.

**PLEASE TAKE FURTHER NOTICE** that this notice of appearance, and any subsequent appearance, pleading, claim, or suit, is not intended, nor shall be deemed, to waive Cartus Corporation's: (i) right to contest the subject matter or personal jurisdiction of this Court; (ii) right to seek abstention or withdrawal of any matter arising in this proceeding; (iii) right to have final orders in non-core matters entered only after de novo review by a United States District Court Judge; (iv) right to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (v) right to have the reference withdrawn by a United States District Court Judge in any matter subject to mandatory or discretionary withdrawal; (vi) right to enforce any contractual provisions with respect to arbitration; or (vii) other rights, claims, actions, defenses, setoffs or recoupments to which Cartus Corporation is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

**PLEASE TAKE FURTHER NOTICE** that this appearance is a limited appearance for purposes of notice only. Accordingly, this Notice of Appearance is not to be construed as a waiver of any rights, including, without limitation, the right to contest jurisdiction or service of process or to demand trial by jury of any issue.

Dated: May 30, 2023

**K&L Gates LLP**

/s/ David S. Catuogno

David S. Catuogno, Esq.  
(N.J.D.C. No. DSC-1397)  
(NJ Bar #040511990)

K&L Gates LLP

One Newark Center, 10<sup>th</sup> Floor  
Newark, New Jersey 07102

Telephone: (973) 848-4023

Facsimile: (973) 848-4001

Email: [david.catuogno@klgates.com](mailto:david.catuogno@klgates.com)

*Attorneys for Cartus Corporation*

**CERTIFICATE OF SERVICE**

I certify that on May 30, 2023, I caused the attached Notice of Appearance and Demand for Service of Papers to be electronically filed with the Clerk, United States Bankruptcy Court, District of New Jersey, by ECF and one copy of the aforementioned document by way of first class mail or ECF to those persons listed on the attached service list.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment.

Dated: May 30, 2023

By: /s/ David S. Catuogno  
David S. Catuogno, Esq.  
[David.catuogno@klgates.com](mailto:David.catuogno@klgates.com)

**SERVICE LIST**

**Attorneys for Debtor**

Ross Fiedler  
Kirkland & Ellis LLP  
601 Lexington Avenue  
New York, NY 10022  
**Via ECF**

Richard U.S. Howell, P.C  
KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS INTERNATIONAL LLP  
300 North LaSalle Street  
Chicago, IL 60654  
**Via ECF**

Casey McGushin  
3101 Old Jacksonville Road  
Springfield, IL 62704  
**Via ECF**

Michael D. Sirota  
Cole Schotz P.C.  
25 Main St.  
Hackensack, NJ 07601  
**Via ECF**

**U.S. Trustee**  
U.S. Trustee  
US Dept of Justice  
Office of the US Trustee  
One Newark Center Ste 2100  
Newark, NJ 07102  
**Via ECF**

**Attorney for US Trustee**  
Alexandria Nikolinos  
Fran B. Steele  
DOJ-Ust  
One Newark Center  
1085 Raymond Boulevard  
Suite 2100  
Newark, NJ 07102  
**Via ECF**

Attorney for Creditor Committee

Colin R. Robinson

Pachulski Stang Ziehl & Jones LLP

919 North Market Street

17th Floor

Wilmington, DE 19899-8705

**Via ECF**